

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

JOSE AHUMADA-RODRIGUEZ,

Defendant-Movant.

CASE NO. CR09-5601BHS

ORDER DENYING MOTION FOR
REDUCTION OF SENTENCE

This matter comes before the court on Defendant-Movant Jose Ahumada-Rodriguez' (Ahumada-Rodriguez) Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582. Dkt. 265. The court has reviewed the motion and the government's response (Dkt. 272).

Defendant seeks a reduction in sentence based on Amendment 788 to the Sentencing Guidelines which made Amendment 782 to USSG 2D1.1. Because the sentence that Ahumada-Rodriguez is serving is the applicable mandatory minimum sentence required by 21 U.S.C. § 841(b)(1)(A), Defendant is ineligible for a reduction in sentence under 18 U.S.C. 3582(c)(2) and his motion should be denied.

NOW, THEREFORE, IT IS HEREBY ORDERED that Ahumada-Rodriguez' Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582 is DENIED.

Dated this 20th day of July, 2015.



BENJAMIN H. SETTLE
United States District Judge